



IT Procurement: Authority and Delegation Policies

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- I. **Purpose.** The policies contained in this document clarify the Virginia Information Technologies Agency's (VITA) statutorily-mandated responsibility for the procurement of information technology (IT) and telecommunications goods and services, identify situations where Chief Information Officer (CIO) approval is required, specify when VITA may delegate its procurement authority, and outline the process for purchasing IT goods and services when delegation applies. These policies apply to all executive branch agencies and institutions of higher education, except those explicitly exempted by the *Code of Virginia* or the *Appropriations Act*.
- II. **Definition.** A procurement transaction, as described in the *Virginia Public Procurement Act* (VPPA), includes all functions related to obtaining any goods or services, such as description of requirements, solicitation and selection of sources, preparation of contract, contract signature, and all phases of contract administration.
- III. **VITA's Purchasing Authority.** VITA has sole authority to procure all IT and telecommunications goods and services (including general and agency-specific applications) for executive branch agencies and non-exempt institutions, except those explicitly exempted by the *Code of Virginia* or the *Appropriations Act*.

If an institution of higher education has an approved Management Agreement for Institutional Performance with the Commonwealth of Virginia, they are not subject to VITA's procurement guidelines.

All agencies can request VITA's assistance with IT procurement services, and all public bodies can utilize statewide contracts developed by VITA, if provided for in the solicitation or contract.

All IT procurements conducted by VITA are pursuant to the laws of the Commonwealth of Virginia and applicable policy or regulation.

All IT and telecommunications goods and services procured by any executive branch agency or institution pursuant to any *Public-Private Education*

Facilities and Infrastructure Act (PPEA) effort are subject to VITA's procurement authority.

- IV. **Delegation.** At its discretion, VITA may grant, in writing, some or all of its procurement authority to purchase a specific IT or telecommunications good or service (including an application) to a requesting agency. Delegation may be based on amount or commodity.
- V. **Delegation Guidelines.**
- All agencies have \$50,000 delegated authority for goods and services that are out of scope to VITA unless otherwise granted.
 - Delegated authority for goods and services that are in scope to VITA varies as follows:
 - Agencies and non-exempt institutions of higher education that are not in scope to the Northrop Grumman partnership have \$50,000 delegated authority.
 - Agencies that are in scope to the Northrop Grumman partnership have \$0 delegated authority.
 - Procurement requests shall not be split to circumvent delegation limits.
 - IT procurement requests exceeding delegated authority will require a V Code in the PO Category field in eVA to route the request to VITA.
 - VITA will provide guidance on its Web site as to what goods and services are in scope and what are out of scope. Regardless of the determination of in scope or out of scope, all IT procurements are within VITA's authority.
- VI. **Procurements Requiring CIO Approval.** In the following instances, Commonwealth CIO approval is required prior to purchasing IT goods or services:
- Procurements exceeding \$100,000
 - All Major IT Projects as defined in the *Code of Virginia*
 - Purchases using cooperative procurement agreements (including GSA), regardless of amount
 - Purchases using an online or public auction, regardless of amount
- VII. **Authority References.**
- §2.2-2006 of the *Code of Virginia*; Includes definitions for "information technology," "telecommunications" and "state agency."
- §2.2-2007 of the *Code of Virginia*; Powers of the CIO.
- §2.2-2012 of the *Code of Virginia*; Addresses procurement of information technology and telecommunications goods and services
- §2.2-2018 of the *Code of Virginia*; Project planning approval.
- §2.2-2020 of the *Code of Virginia*; Procurement approval for major information technology projects.

§2.2-4300 of the *Code of Virginia*; Virginia Public Procurement Act

§2.2-4303(I) of the *Code of Virginia*. Explains guidelines for use of public auctions for procurement of goods and services.

§2.2-4304 of the *Code of Virginia*. Outlines the cooperative procurement process.

§56-575.16 of the *Code of Virginia*. Outlines the *Public-Private Education Facilities and Infrastructure Act* (PPEA)

Appropriations Act